

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 19-cv-1241-pp

v.

APPROXIMATELY \$17,318.80 US CURRENCY,

Defendant.

**ORDER GRANTING GOVERNMENT’S MOTION TO STRIKE (DKT. NO. 13),
DENYING LETTER DEMAND FOR RETURN OF FUNDS WITHOUT
PREJUDICE (DKT. NO. 10) AND ORDERING JENNIFER THARP TO FILE A
CLAIM THAT COMPLIES WITH RULE G(5)(A) AND TO RESPOND TO THE
COMPLAINT**

On August 27, 2019, the United States of America filed for civil *in rem* forfeiture against approximately \$17,318.80 in U.S. currency from the seized from the residence of Lacure Veasley and Jennifer Tharp. Dkt. No. 1. On November 4, 2019, Tharp filed a hand-written letter demanding the return of that money, stating that the money was hers and that she had paperwork to prove it. Dkt. No. 11. The government filed a motion to strike Tharp’s letter, arguing that it was not a verified claim as required by Rule G(5)(a) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions. Dkt. No. 13. The government also argued that Tharp failed to file an answer within twenty-one days of her claim as required by Rule G(5)(b). *Id.* The government stated that it would not object to the court issuing an order to strike without prejudice and and giving Tharp a fourteen-day extension of time

to file to file a verified claim meeting the requirements of Rule G(5)(a). Id. at ¶27.

The court **GRANTS** the government's motion to strike. Dkt. No. 13.

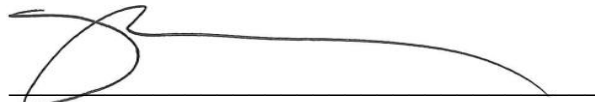
The court **ORDERS** that Tharp's letter demand is **DENIED without prejudice** as procedurally improper. Dkt. No. 10.

The court **ORDERS** that if Jennifer Tharp wishes to pursue return of the funds, by the end of the day on **June 16, 2020**, she must file a verified claim meeting the requirements of Rule G(5)(a). Tharp must file that claim in time for the court to *receive* it by the end of the day on June 16, 2020.

The court **ORDERS** that if Tharp wishes to pursue return of the finds, she must respond to the complaint (the first thing the government filed in this case, Dkt. No. 1) with an answer or a motion under Federal Rule of Civil Procedure 12 by the end of the day on **June 23, 2020**. If Tharp chooses to file an answer, it must respond to each of the numbered paragraphs in that original complaint, and Tharp must file it in time for the court to *receive* it by the end of the day on June 23, 2020.

Dated in Milwaukee, Wisconsin this 1st day of June, 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
Chief United States District Judge